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Attorney for Plaintiffs

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

OBSIDIAN FINANCE GROUP, LLC and  
KEVIN D. PADRICK,

Plaintiffs,

v.

CRYSTAL COX,

Defendant.

Civil No. MC-12-017-JPH

**MOTION TO COMPEL LEA ANNE  
SCOTT TO COMPLY WITH  
SUBPOENA *DUCES TECUM***

***ORAL ARGUMENT REQUESTED***

Pursuant to FRCP 26, 37 and 45, Plaintiffs-Judgment Creditors Obsidian Finance Group, LLC (“Obsidian”) and Kevin Padrick (“Padrick”) (collectively, “Plaintiffs”) move the Court for an order compelling Lea Anne Scott (“Scott”) to produce documents pursuant to the subpoena *duces tecum* attached as Exhibit 1 hereto (“Subpoena”) and to appear at her deposition as required by the Subpoena. Plaintiffs further request that the Court order Ms. Scott to pay the fees and costs incurred by plaintiffs in connection with this motion.

Plaintiffs’ counsel has conferred by e-mail and attempted to confer by telephone with Ms. Scott concerning the issues raised in this motion, and was unable to

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1 resolve this dispute. This motion is supported by the declaration of David S. Aman, filed  
2 herewith.

3 DATED this 21st day of November, 2012.

4  
5 By /s/ Steven M. Wilker  
6 Steven M. Wilker, WSBA No. 33933  
Attorney for Plaintiffs

7 TONKON TORP LLP  
8 1600 Pioneer Tower  
9 888 SW Fifth Avenue  
10 Portland, OR 97204-2099  
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Issued by the  
**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF WASHINGTON**

**OBSIDIAN FINANCE GROUP, LLC and**  
**KEVIN D. PADRICK,**  
 Plaintiffs,

v.

**CRYSTAL COX**  
 Defendant.

**DEPOSITION SUBPOENA**  
***DUCES TECUM* IN A CIVIL**  
**CASE**

**Pending United States District Court for**  
**the District of Oregon**  
**Civil No. cv 11-0057-HZ**

**TO: Lea Anne Scott**  
**1504 W. 14th Ave.**  
**Spokane, WA 99204**

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

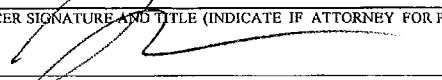
PLACE OF TESTIMONY	COURTROOM:
	DATE AND TIME:

☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case, to be recorded by stenographic and/or videotape means.

PLACE: Spokane Reporting Service, Inc. 421 West Riverside Avenue, Suite 1010 Spokane, WA 99201	DATE AND TIME November 12, 2012 11:00 a.m.
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☒ YOU ARE COMMANDED to produce and permit inspection and copying of the documents or objects listed hereafter at the place, date and time specified below: **Documents listed on Exhibit 1**

PLACE: Spokane Reporting Service, Inc. 421 West Riverside Avenue, Suite 1010 Spokane, WA 99201	DATE AND TIME November 12, 2012 11:00 a.m.
--	--

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)  David S. Aman, Attorney for Plaintiffs	DATE November 5, 2012
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER David S. Aman, OSB #96210; TONKON TORP LLP, 1600 Pioneer Tower, 888 SW Fifth Ave., Portland, OR 97204-2099, Telephone: 1.503.802.2053	

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

**EXHIBIT 1**

1. All communications with Crystal Cox, including emails.
2. All communications mentioning or concerning Crystal Cox, including emails.
3. All agreements with Crystal Cox.
4. All documents concerning any domain names you own or have owned directly or indirectly, including through any entity such as Lake Art.
5. All documents concerning any transfer of ownership or control of any domain names or accounts between you and Crystal Cox.
6. All documents concerning any payments or transfers of money to or from Ms. Cox.
7. All documents concerning any payments or transfers of money made on behalf of Ms. Cox.

033992/00010/3423790v1

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

OBSIDIAN FINANCE GROUP LLC AND  
KEVIN D PADRICK,

Plaintiff(s),

No. CV110057HZ

vs.

DECLARATION OF SERVICE

CRYSTAL COX,

Defendant(s),

ss.

The undersigned, being first duly sworn on oath deposes and says: That he/she is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen years, not a party to or interested in the above entitled action and competent to be a witness therein.

That on the 3rd day of November, 2012 @ 02:31 PM, at the address of 1504 WEST 14TH, Spokane, within SPOKANE County, WA, the undersigned duly served ONE copy(ies) of the following document(s): **CHECK FOR \$45.10, DEPOSITION SUBPOENA DUCES TECUM IN A CIVIL CASE**, in the above entitled action upon **LEA ANNE SCOTT**, by then and there, at the residence and usual place of abode of said person(s), personally delivering ONE true and correct copy(ies) of the above documents into the hands of and leaving same with , , being a person of suitable age and discretion, then resident therein. FEMALE I KNOW FROM PREVIOUS SERVICES ANSWER THE DOOR AND WAS HOSTILE FROM THE GET GO, CAR HERE 603WHH, LEFT THE PAPERS IN HER PERSENCE KICKED THE PAPERS BACK OUT AT ME SLAMMED THE DOOR

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct:

Date:

11/5/12

Service Fee: \$ \_\_\_\_\_  
Return Fee: \$ \_\_\_\_\_  
Mileage Fee: \$ \_\_\_\_\_  
Misc. Fee: \$ \_\_\_\_\_  
Total Fee: \$ \_\_\_\_\_

  
T BRADLEY

Registered Process Server

License #: 1327

Eastern Washington Attorney Services, Inc.

1201 North Ash #100

Spokane, WA 99201

509.325.0001

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing **MOTION TO COMPEL LEA ANNE SCOTT TO COMPLY WITH SUBPOENA *DUCES TECUM*** on:

Crystal Cox  
PO Box 2027  
Port Townsend, WA 96368

Lea Anne Scott  
1504 West 14th  
Spokane, WA 99204

by mailing a copy thereof in a sealed, first-class postage prepaid envelope, addressed to each person's last-known address and depositing in the U.S. mail at Portland, Oregon on the date set forth below.

DATED this 21st day of November, 2012.

By /s/ Steven M. Wilker  
Steven M. Wilker, WSBA No. 33933  
Attorney for Plaintiffs

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888 SW Fifth Avenue  
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